

services provided by the pharmacy. In the case of mail-service pharmacies, they should be required to mail the posted list of prices to patients requesting it and be allowed to mail it to persons not requesting it, e.g., the members they serve. (2) Permissive prescription price advertising which shall include comparative brand name and generic name prices and quantities and shall allow such phrases as "10% discount for senior citizens," "10% off for persons over 60," etc., provided the discounts are from the seller's normal prices.

Mr. Sullivan also addressed the posting and phone disclosure question; he writes:

In store posting of selected prescription drug prices is most helpful to consumers when: (a) it is uniform; (b) it provides easy price comparison, regardless of the quantity; (c) it lists separately the cost of the product and the professional fee for dispensing; (d) it is conspicuously posted, and (e) it is readily accessible without the aid of a pharmacist or clerk.

We see only merit to telephone disclosure of drug prices, the chief advantage being, of course, that it does not necessitate a trip to the pharmacy, which is of particular importance to elderly, poor and immobile persons.

The National Council of Senior Citizens is in an especially good position to receive consumer feedback on drug problems from its membership, which has access to a drug-by-mail prescription program. Describing himself as the "prescription delivery arm" for NCSC, Mr. Edward Pastor of Philadelphia provides some insight into the problems faced by older Americans:

In many instances, they [the elderly] are semi- or non-ambulatory patients who would have a serious problem shopping from Pharmacy to Pharmacy in order to check posted prices of a limited number of prescription drugs.

Semi-ambulatory and elderly patients, the great drug users, have problem enough moving about let alone going from one store to another looking for postings of "selected" prescription drug prices.

Mr. President, I can see great merit in the FTC staff proposal to require price disclosure over the phone. This, as the above comments indicate, would be invaluable to the aged in the United States. Several alternatives have been proposed to ease the burden of phone disclosure on the individual pharmacist. One proposal is to allow the pharmacist to return the disclosure request during slack hours.

In summary, the FTC has proposed eliminating barriers to free disclosure of prescription drug prices. I heartily endorse these proposals, including the posting and phone disclosure segments. It is time the elderly of our Nation had a system with which they could save money on needed drugs. These proposed changes would solve the problem in a manner equitable to all, and I hope that the Federal Trade Commission proposal will result in the issuance of a strong trade rule in the very near future.

I believe that it is also highly important for the Congress to go on record in support of a system of adequate price disclosure for prescription drugs, and I offer a Senate resolution for that purpose. It is critical to the senior citizens of our Nation that they get a fair shake

in the purchase of prescription drugs, especially since medicare does not reimburse for out-of-hospital prescription drugs. I ask my colleagues to join with me in supporting all-out efforts promoting the fair advertisement of prescription drugs, and I hope that restrictive State laws will be struck down in the interest of justice for older Americans.

#### SENATE CONCURRENT RESOLUTION 88--SUBMISSION OF A CONCURRENT RESOLUTION AUTHORIZING ADDITIONAL COPIES OF CERTAIN HEARINGS

(Referred to the Committee on Rules and Administration.)

Mr. CHURCH (for himself and Mr. Tower) submitted the following concurrent resolution:

S. CON. RES. 88

Resolved by the Senate and the House of Representatives concurring, That there be printed for the use of the Senate Select Committee to Study Governmental Operations with respect to Intelligence Activities five thousand additional copies of all parts of its public hearings and of its final report to the Senate.

#### AMENDMENTS SUBMITTED FOR PRINTING

#### FEDERAL EMPLOYEE INVOLVEMENT IN POLITICAL ACTIVITY--H.R. 8617

AMENDMENTS NOS. 1350, 1351, AND 1352

(Ordered to be printed and to lie on the table.)

Mr. DOLE, Mr. President, within a few days, the Senate will take under consideration H.R. 8617, a measure designed to significantly alter the Hatch Act regulations which currently govern and restrict Federal employee involvement in political activity. In anticipation of that debate, I am today submitting three amendments for consideration during discussion of H.R. 8617. Each of the amendments would, in my opinion, measurably improve upon the legislation, as it was reported from the Senate Post Office and Civil Service Committee last month.

#### PURPOSE OF AMENDMENTS

The first of these amendments would simply alter the definition of "employee" under section 7322, to exclude employees of the Internal Revenue Service, Federal Bureau of Investigation, and the U.S. Postal Service from the provisions of H.R. 8617. These Federal agencies, containing personal information or handling private correspondence of the citizens of this Nation, normally employ persons in what can be considered "sensitive" positions with regard to privileged personal information. As such, it is both practical and proper that employees of these particular agencies should be excluded from the provisions of any legislation permitting active participation by Federal employees in partisan political activity.

The second amendment I am offering today would stipulate the mandatory, permanent suspension from Federal Civil

Service employment for any employee found guilty on two occasions of violating prohibitions against illegal forms of political activity described in H.R. 8617. As the measure now stands, much discretion is given to an independent board on political activities in assigning penalties for confirmed violations of the act. As such, it is entirely possible that one who violates the prohibitions against illegal political activity, even on a repeated basis, may be disciplined by nothing more than a simple reprimand. Because I am concerned that the penalty provisions of H.R. 8617 should act as a true deterrent to violations as described under the terms of this bill, I feel it is important to put some clearly defined "teeth" into the disciplinary provision. For this reason, I feel that my amendment would act as a genuine disincentive to chronic and habitual violation of illegal campaign activities by Federal employees, particularly by those in a supervisory or managerial position who would be capable of exercising undue influence over other Federal employees.

The third amendment would delay the effective date of the Hatch Act revisions contained in H.R. 8617 until January 1, 1977, rather than 90 days after enactment of the bill. This provision is important to insure that enactment of this legislation could not now or later be construed as having an inappropriate impact upon the November 1976 elections, which are so near at hand. It is far better that relaxation of limitations on campaign activity by Federal employees be implemented in a smooth and orderly fashion rather than in the heat of a charged political atmosphere which will certainly be in evidence within the next several weeks. It would be far better for these significant alterations of the Hatch Act to become effective in the nonpolitical environment immediately following the elections this fall.

Mr. President, I am hopeful that my colleagues will carefully consider the reasoning behind these suggestions, and I ask unanimous consent that the three amendments be printed in the Record.

There being no objection, the amendments were ordered to be printed in the Record, as follows:

#### AMENDMENT No. 1350

On page 2, line 18, following the words "uniformed services", strike the semicolon, insert a comma, and add the following: "nor does it include an employee of the Internal Revenue Service, Federal Bureau of Investigation, or the U.S. Postal Service;"

#### AMENDMENT No. 1351

On page 20, line 3, insert the following: "(b) Subject to and in accordance with section 7328 of this title, an employee who is found to have violated on two occasions the provisions of section 7323, 7324, or 7325 of this title shall, upon a final order of the Board, be permanently suspended from the Federal civilian service."

Redesignate subsection "(b)" as "(c)"

#### AMENDMENT No. 1352

On page 24, line 21, strike all under subsection (f), lines 21 through line 2 on page 25, and insert in lieu thereof the following:

"(f) The amendments made by this section shall take effect on January 1, 1977."

# Hatch Passage Is Seen

By Helen Dewar  
Washington Post Staff Writer

Despite expectations of a tough fight, the Senate was described yesterday as likely to follow the House in voting to relax Hatch Act restrictions on political activity by the nation's 2.8 million federal workers.

A spokesman for President Ford, while stopping short of predicting a veto, said the House-passed version of the legislation is "causing some great concern" within the White House.

The bill, approved 288 to 119 by the heavily Democratic House on Tuesday, would permit federal workers including postal employees to engage fully in partisan politics, including running for local, state or federal office as a Democrat or Republican. The Hatch Act has barred such activity for 36 years.

The surprisingly strong House vote margin of nearly 3 to 1 considerably strengthened chances for Senate approval of major modification of the existing restrictions this year, according to both House and Senate sources.

It "bodes very well for Hatch Act reform," said Sen. Gale W. McGee (D-Wyo.), chairman of the Senate Post Office and Civil Service Committee, who with Sen. Quentin N. Burdick (D-N.D.) has introduced his own set of Hatch Act modifications.

Hearings will be scheduled shortly on the McGee-Burdick bill, aides said, adding that Senate action is possible by the end of the year.

While it has the same general purpose as the House-passed bill, the Senate bill differs in some respects. Senate committee aides said they were uncertain as yet as to whether the differences are substantial enough to cause problems.

The Senate bill more closely parallels the House version as originally introduced by Rep. William Clay (D-Mo.), chairman of a House postal subcommittee. The committee extensively rewrote the bill to broaden prohibitions against political coercion of workers by their superiors.

It was fear that such protections were insufficient to avoid a "politicizing" of the civil service by either government bosses or employees' unions that dominated the House debate and is likely to influence Senate action.

The bill would "open the floodgates to all-out politics by federal employees" at a time when people are fed up with partisan political interference in the running of government, argued Rep. Gilbert Gude (R-Md.) in opposing the legislation.

Underlying the debate was an assumption—widely held but unproved—that many federal workers would prove to be Democratic workhorses and even candidates if they were "un-Hatched."

See HATCH, A25, Col.3

If Congress "unleashes" the federal bureaucracy politically, its impact will be felt first in Democratic primaries, said Rep. Edward J. Derwinski (R-Ill.). "You on the majority side will be creating a monster that could devour you."

Proponents of the bill argued that civil servants were being denied basic political rights enjoyed by everyone else and that existing protections are confusing and often self-defeating.

Also at issue is precisely what the workers themselves want. Rep. Joseph L. Fisher (D-Va.) said constituents responding to his recent questionnaire were against Hatch Act change by nearly 2 to 1. Rep. Gladys Noon Spellman (D-Md.) said a postcard poll of her constituents showed most of them wanted change. "Most of them really don't care," said another congressman, "or at least not until someone tries to hustle them for a contribution."